

**UNITED STATES DISTRICT COURTS  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**THOMAS BARTLETT WHITAKER,**  
**Petitioner,**

**v.**

**RICK THALER, Director, Texas  
Department of Criminal Justice,  
Correctional Institutions Division,  
Respondent.**

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**CASE NO. 4:10-MC-293**

**PROOF OF INDIGENCY**

Petitioner, Thomas Whittaker files this proof of indigency as follows:

On September 23, 2010, this Court appointed Hilder & Associates, P.C., to represent Petitioner conditional on proof of indigency. The Court noted that Petitioner has been represented by appointed counsel throughout state post-conviction proceedings. Petitioner's economic situation is the same; the attached affidavit confirms his indigent status. Exh. 'A'.

Respectfully submitted,

HILDER & ASSOCIATES, P.C.

/s/ James G. Rytting  
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ATTORNEYS FOR PETITIONER

**CERTIFICATE OF SERVICE**

Respondent was served on October 22, 2010, with these papers by the ECF filing system.

/s/ James G. Rytting  
James G. Rytting